

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC UTILITIES**

_____)
Investigation by the Department of Public Utilities on its)
Own Motion into the Preparation and Response of the)
Massachusetts Electric Distribution Companies to the)
December 12, 2008 Winter Storm)
_____)

D.P.U. 09-01-A

AFFIDAVIT OF MICHAEL C. SPANO

Michael C. Spano does hereby depose and say as follows:

1. I, Michael C. Spano, on behalf of the Massachusetts Attorney General's Office, certify that the testimony listed below, which bears my name was prepared by me or under my supervision and is true and accurate to the best of my knowledge and belief:
 - i. Direct of Testimony of Michael C.Spano.

Signed under the pains and penalties of perjury this 25th day of March, 2009



Michael C.Spano

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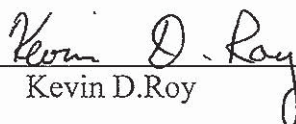
D.P.U. 09-01-A

AFFIDAVIT OF KEVIN D.ROY

Kevin D. Roy does hereby depose and say as follows:

1. I, Kevin D. Roy, on behalf of the Massachusetts Attorney General's Office, certify
that the testimony listed below, which bears my name was prepared by me or under
my supervision and is true and accurate to the best of my knowledge and belief:
 - i. Direct of Testimony of Kevin D.Roy.

Signed under the pains and penalties of perjury this 25th day of March, 2009



Kevin D.Roy

COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC UTILITIES

Investigation On Its Own Motion Into The

Massachusetts Electric Companies' Preparation

D.P.U. 09-01-A

and Response to the December 12, 2008

Winter Storm

JOINT TESTIMONY OF MICHAEL C. SPANO AND KEVIN D. ROY

Q: Please state your names and business addresses for the record.

A: Michael C. Spano; Kevin D. Roy. Our business address is Fitchburg Fire Headquarters, 33 North Street, Fitchburg, Massachusetts.

Q: What are your positions with the City of Fitchburg?

A: Michael C. Spano served as the Deputy Chief of the Fitchburg Fire Department from September 2, 2002 until his retirement in June 30, 2008. He also served as the Emergency Management Director for the City of Fitchburg since 2002 having been appointed to that position by the Fire Chief. But he returned to help the City during the ice storm as a volunteer.

Kevin D. Roy is the Chief of the Fire Department.

Q: Please describe your educational background.

A: Michael C. Spano has a degree in Fire Science and has taken numerous courses, training seminars and other educational programs in the field of Emergency Management

as well as NIMS (*National Incident Management System*) training to the ICS (*Incident Command System*) 800 certification. This education and training is required by the U. S. Department of Homeland Security.

Kevin D. Roy has a degree in Fire Science, graduated from the Massachusetts State Fire Academy, Executive Fire Officer Course and has numerous courses, seminars and training in Emergency Management including NIMS 400 training.

Q: Please describe your work experience.

A: Michael C. Spano has 32 years in the Fire Service the last six years of which he was the City's Emergency Management Director.

Kevin D. Roy has been the City's Fire Chief for the past 14 years and has served as a City Firefighter for 35 years.

Q: Have you presented testimony before the Massachusetts Department Of Public Utilities (the "Department")?

A: No. Neither of us has presented testimony before the Department of Public Utilities.

Q: When did you first get involved in the ice storm?

A: The mayor, having declared a state of emergency, asked Chief Kevin D. Roy and Michael C. Spano to direct the management of the December 2008 ice storm recovery operations. The mayor had moved the City operations for storm management to the City's Emergency Operation Center (EOC) at 33 North Street from early on December 12, 2008 until December 24, 2008. Michael C. Spano was the Incident Commander assisted by Chief Kevin D. Roy. Other Deputy Chiefs of the Fire Department ran the EOC during the nighttime hours.

A: We first reported to the EOC early on December 12th. During the emergency, our work day usually started between 6:00 a.m. and 7:00 a.m. and ended at approximately 9:00 p.m. every day. The city was in a severe emergency state. Trees and utility poles had fallen (and were still falling) and there were live wires arcing on many streets throughout the city. Except for a few areas, power was off throughout the City. Many streets were impassable because of ice, downed trees, poles and wires.

Q: Were you involved with the Emergency Operations Center? If so, in what way?

A: Yes. We were the managers of the EOC with the mayor. Three times each day we ran briefings with all major municipal departments involved in managing the storm and recovery including the DPW, Police, Board of Health, School Department, Fire Department. We also coordinated the work of community agencies and volunteers. So we could have first hand information on the progress of the recovery and people's needs. We each spent some part of each day observing the degree and quality of the recovery work and the efforts/ success of the crews in the field during the cleanup and restoration process.

We maintained regular contact and worked closely with the local hospital, MEMA, the National Guard, social service agencies, transportation companies, private citizens, municipal officials, volunteers, the housing authority directors and many other individuals. Most of our time was spent in the EOC directing the incident recovery efforts and coordinating the activities of the other workers and volunteers.

Not until December 13th, in the late afternoon, did Unitil send a representative to our briefings although they had been told about them and invited to them. Unitil had also, in past storm discussions, committed to have its representative's work closely with City officials to coordinate recovery efforts if there was a severe power outage. Although Unitil sent people to the EOC to work with us, there was little continuity and coordination because initially the company sent different people to the meetings. We asked for better coordination, and Unitil sent Mr. George Gantz who began to attend most of the meetings by December 15, 2008. On December 16th or 17th we had 2 Unitil employees in our EOC with lap tops. This also was at our request.

Starting after day 5 of recovery, we also had daily conference calls with Unitil's Mr. Schoenberger, Mr. Gantz and other Unitil personnel. These calls were arranged through the Governor's Office because we asked for help through our State Representative.

Q: Did you have contact with Unitil?

A: Yes. As I mentioned above we did because we needed Unitil personnel to help us especially to know whether a downed wire was dead or live so we would know whether it was safe to work. We had to depend on Unitil to provide us this information. We wanted to coordinate our recovery efforts (tree, debris removal; road clearance; access to homes with shut-ins etc) with Unitil so we found ourselves repeatedly asking for cooperation.

Q: Did Unitil provide you with adequate support?

A: No, not really. During the first two days of the recovery, we kept asking Unitil to send someone to report to our EOC full-time to give us accurate information of the damage, live wires and realistic estimates of power restoration. We note that most of the approximately 120 calls to the EOC **each hour were energy related.** People were worried and asking if we knew when their power would be restored to their homes or streets. They also called to ask for help with special problems such as their needing power to operate various medical machines.

The information which Mr. Gantz provided about power issues, during the first week or so, proved to be inaccurate and unhelpful. For example, he gave us Unitil's goals for restoring power but the company never met the time frames of goals that they had mentioned the day before. We didn't get hard, clear, specific data on which streets/houses had power restored. He also told us that utility company mutual aid crews were coming to help but the actual number of mutual aid crews fell far short of the numbers they provided. Finally around December 17th or 18th, National Grid came in and began a damage assessment that Unitil said it had accomplished five days earlier.

Q: Did Unitil ever send a full-time representative to the EOC?

A: The City did not get a full-time representative in our EOC for many days, as I recall, it was about 6 days into the event before we had a full-time Unitil representative at the EOC.

Q: Did you receive any complaints at the EOC about Unitil's response to the recovery efforts?

A: Yes, we did. The EOC received many, many complaints from people asking where the Unitil vehicles were because they expected to see Unitil vehicles and crews working on the roads and lines. We also received many complaints about the Unitil communication system (its "call center"). People reported that Unitil was either not answering its phones or that they could never get through the busy signal which was constant. Municipal officials had this same experience. This, perhaps, explains the many, many calls to the EOC emergency number from people with questions about power restoration and other power related concerns.

It appeared to us that Unitil did not have nearly enough crews of their own to handle this situation, their communication center was inadequate to handle the volume of calls and their initial assessment of damage (if there was one done) was completely unrealistic. This combined with the fact that their mutual aid system did not respond in a timely fashion, led to days and days of very little progress in restoring power to most of the city. Our relations with Unitil were frustrating at best.

Q: What is your experience with Unitil's preparation for the ice storm?


A: Once a year we did meet with Unitil at their facility to be updated about winter conditions and other power outage situations. Unitil has not participated in our local emergency planning committee meetings. These meetings, attended by municipal and private agencies, plan and prepare for emergency situations in order to manage them better when they occur. Its meetings with City officials, Unitil and the City had agreed that during this kind of disaster, it would provide the city with someone to help handling emergency situations involving the power company.

Q: Do you believe that Unitil was forthcoming with you and the City?

A: We had serious problems with what Unitil personnel told us. The information Unitil provided to us was either very deceptive - about the number of people they had working in the field and its assessment of the damage, **or**, they didn't know how much damage there was and the mutual aid they expected didn't show up, **or**, they didn't really have help coming. Further, counting on its previous commitments we hoped to have someone from Unitil with us in the EOC to assist with the emergency but this took a week to accomplish. These problems and the company's inability to answer their phones or get information to the general public caused an extreme burden on the City of Fitchburg, the EOC, emergency workers and citizens.

Dated this 25th day of March 2009


Michael C. Spano


Kevin D. Roy